

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DAVID L. BELMONTE a/k/a Dameas
Shiruk Duranzan,

Plaintiff,

v.

KING COUNTY et al.,

Defendants.

CASE NO. 2:24-cv-01762-TL-SKV

ORDER ON REPORT AND
RECOMMENDATION

This matter is before the Court on the Report and Recommendation (“R&R”) of the Honorable S. Kate Vaughan, United States Magistrate Judge, which recommends dismissal of this matter. Dkt. No. 4. As the R&R explains, on October 23, 2024, Plaintiff submitted a proposed civil rights complaint under 42 U.S.C. § 1983. *Id.* at 1 (citing Dkt. No. 1). However, Plaintiff did not submit either a filing fee or an application to proceed *in forma pauperis* (“IFP”). *Id.* On October 30, the Clerk sent Plaintiff a letter advising him of the deficient submission and explaining that Plaintiff must pay the filing fee or submit an IFP application by November 29, or risk dismissal. *Id.* (citing Dkt. No. 2). The R&R recommends dismissal because “[t]o date,

1 Plaintiff has neither paid the filing fee, nor has he submitted an application to proceed IFP,”
2 despite having “ample time” to do so. *Id.* at 2. Objections were due by January 14, 2025 (*id.*), but
3 Plaintiff did not file any objections.¹

4 The Court agrees with the R&R’s conclusion. The Court also notes that Plaintiff’s failure
5 to correct his deficient submission by November 29 is a sufficient ground for dismissal, even
6 without the R&R process.

7 Accordingly, it is hereby ORDERED:

- 8 (1) The Report and Recommendation is APPROVED and ADOPTED.
- 9 (2) This matter is DISMISSED without prejudice for Plaintiff’s failure to satisfy the
10 filing fee requirement.
- 11 (3) The Clerk is DIRECTED to send copies of this Order to Plaintiff and to Judge
12 Vaughan.

13 Dated this 17th day of January 2025.

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15 _____
16 Tana Lin
17 United States District Judge
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24 ¹ Plaintiff’s mail was returned as undeliverable. Dkt. No. 5. Plaintiff was required to keep the Court advised as to his
current mailing address. LCR 41(b)(2).